

Idaho Heating, Ventilation and Air Conditioning Board Meeting

Thursday – August 14, 2003
Division of Building Safety – Meridian, Idaho

CALL TO ORDER Chairman Minegar called the meeting to order at 9:00 am on Thursday, August 14, 2003 at the Division of Building Safety, Meridian, Idaho.

PRESENT Board members present included Pat Minegar, Russ Firkins, Jim Bledsoe, Steve Brown, Steve Keys, and Mike Wisdom. Present from the Division of Building Safety were Dave Munroe, Administrator; Kay Manweiler, Deputy Attorney General; Shauna Wallace, Administrative Assistant and recording secretary; Jack Rayne, Building Bureau Chief; Gary Malmen, Electrical Bureau Chief; Ted Hogander, Plumbing Bureau Chief; and Bob Rawlings, Plumbing Bureau. Also present were Maria Barratt, Division of Financial Management; Mike Kelly, Local #296; Jerry Peterson, Idaho Building Trades; Brent Moore, SMW #60; Bob Campbell, Idaho State School and Hospital; Bruce Graham, Quality Heating and Air Conditioning; Alan Zander, Lightning Heating and Air Conditioning; Ted Reynolds, Arre Serv; and Bob Corbell, HVAC/IEC.

BOARD MEMBER BUSINESS Chairman Minegar asked everyone in the room to introduce themselves. Guests were reminded they are welcome to speak or ask questions as they need and to say their names and who they represent each time for the record.

Chairman Minegar informed the group Kay Manweiler would join the meeting around 9:30 am.

MINUTES OF 8/7/03 Mike Wisdom moved to approve the minutes of the Idaho Heating, Ventilation and Air Conditioning Board meeting of August 7, 2003. Seconded. Passed. (attached)

FUTURE MEETING DISCUSSION Chairman Minegar asked Dave Munroe to report any information he had available regarding future meetings and Board travel arrangements. Mr. Munroe arranged for a meeting room at Templin's in Post Falls, Idaho for Thursday, September 11, 2003. He also arranged flight and shuttle arrangements for the Board and the staff.

Mr. Munroe reported there were no conference rooms available at the Holiday Inn at Pocatello, Idaho for the November 13, 2003 meeting. He tentatively made room arrangements for the night of the 11th for the Board and staff; and for a conference room for the meeting the day of the 12th. The Board agreed to change the meeting from November 13, 2003 to November 12, 2003 in Pocatello, Idaho at the Holiday Inn.

The Board confirmed the October 16, 2003 and December 4, 2003 meetings are to be held in Meridian, Idaho at the Division of Building Safety.

ADMINISTRATIVE RULES RE-DRAFT (CONTINUED) Chairman Minegar began the review of the administrative rules re-draft from Kay Manweiler dated August 11, 2003. (attached)

Sections 021.02, 022.02, and 023.02 In accordance with the approved motion from the August 7, 2003 meeting, the word "only" should be added to the title line inside the parenthesis to read in all three sections, "applies only until April 1, 2005."

Section 022.01.b. After some discussion regarding whether or not to change the length of time from “not less than twenty four months” to “not less than twelve months” consensus was reached to leave the requirement at “not less than twenty four months.”

Section 022.02.b. This section reads “Proof of having engaged in”, but the Board would rather this language be consistent with Section 022.01.b. and read “provide proof, satisfactory to the board”.

Section 022.02.c. The second sentence should mirror Section 022.01.c. with the words “verification of completion of the examination”.

Section 050.03 Russ Firkins requested terminology in Section 54-5002, Idaho Code be in the administrative rule itself, but felt that it was acceptable as it is written if the Division of Building Safety is comfortable discussing that section of Idaho Code when questions arise.

Section 060.02 Mr. Firkins pointed out the Board had agreed at the last meeting to strike the word “final” from this section.

Section 061.02.b Mr. Firkins pointed out the spelling errors needing correction in this section (ventillation to ventilation).

Section 061.03 Mr. Firkins requested the text approved by the Board at the June 12, 2003 meeting be added to this section.

After extensive discussion regarding fees and which cities and counties may or may not use the state for inspections, Jack Rayne suggested the Board return to the Legislature and request a notification clause be added to Idaho Code. The notification clause would require local jurisdictions to provide the state with no less than 12 months notice if they’re going to perform their own inspections. This would allow the state to begin to put together a hiring plan, fee schedule, and work toward budgets.

The Board reached consensus to add to the legislative “to do” list to require local jurisdictions notify the state within 90 days of bill passage as to whether or not they will be performing their own inspections; and to require they provide 12 months notice if there is a status change in their inspection process (whether they perform or the state performs).

Mr. Firkins felt the Board needs to have the fees in the administrative rules so they are in place and the Board agreed.

Mr. Firkins wanted to see the fees listed on the June 12, 2003 handout be added to this current administrative rules draft. These included fees for not taking out a permit and a plan check or technical services fee.

Mr. Rayne reported that his bureau had not received any additional survey information since the Idaho Building Code Advisory Board meeting and the HVAC Board meeting the prior week.

Chairman Minegar ordered a fifteen-minute break.

Chairman Minegar informed meeting attendees that the agenda was going to be changed by deleting the lunch break.

Kay Manweiler joined the meeting at 10:30 am.

ADMINISTRATIVE
RULES RE-DRAFT
DATED AUGUST 11,
2003

The Board reviewed with Ms. Manweiler all requested changes from earlier in the meeting. Ms. Manweiler informed the Board she would be able to provide a revised draft including the day's changes the following day (Friday, August 15, 2003).

Section 061 Chairman Minegar asked Ms. Manweiler to add plan review fee, assessment of reinspection fee, and investigation fees per the Board's prior discussion. Ms. Manweiler pointed out the authority of the Board in Sections 54-5017 and 54-5020, Idaho Code. There is no specific authority for plan checking fees. Gary Malmen pointed out the Electrical Bureau has plan checking fees in their administrative rules, but it's not mandatory so it's not in Idaho Code. Both the Plumbing and Building Bureaus have the plan checking fees in Idaho Code. Ms. Manweiler pointed out those bureaus have different enabling legislation regarding the powers and duties of the board. Ms. Manweiler agrees to write a broad definition of the term "inspection" into the administrative rule, which would allow the Board to include plan checking into the inspection process.

Section 061. After discussion with Ms. Manweiler, the Board asked her to add to subsection 03 and add a definition for a double fee for parties who do not take out a permit before the work starts as the Board does have authority to assess fees; fees would cover re-inspection costs.

Steve Keys suggested the Board address associated fees via legislation. Bob Corbell agreed that would be the best way to solve the problem.

BOARD MEETING
CALENDAR

Chairman Minegar finalized the next Board meeting to be held Monday, August 18, 2003 at 10:00 am at the Division of Building Safety in Meridian, Idaho to review the re-draft of the administrative rules. Steve Brown will join that meeting by conference call. Additional meetings were set for Thursday, September 11, 2003, 9:30 am to 2:00 pm at Templin's in Post Falls, Idaho; Thursday, October 16, 2003 at the Division of Building Safety in Meridian, Idaho; Wednesday, November 12, 2003 at the Holiday Inn in Pocatello, Idaho; and Thursday, December 4, 2003 at the Division of Building Safety in Meridian, Idaho.

EXECUTIVE SESSION

A motion was made to adjourn into executive session for the purpose of discussing personnel issues. Seconded. Passed.

LEGISLATIVE
PROCEDURE

Maria Barratt briefed the Board on legislative procedure and reminded them that any approved legislative ideas submitted through the Division of Building Safety and the Governor's Office must be submitted by the October deadline in proposal format. She also informed the Board that ideas should probably be split up and treated as separate issues to help keep the non-controversial ideas from being held up by the controversial ideas. Mr. Corbell explained that the other way to submit legislation would be to work with a lobbyist and a Legislator. Ms. Manweiler will have a draft of proposed legislation for the Board's review at the September 11, 2003 meeting.

OTHER BUSINESS

Chairman Minegar asked if anyone had anything else they would like to discuss prior to adjourning the meeting.

ADJOURNMENT

The meeting was adjourned at 12:15 pm.

Respectfully submitted,

Shauna Wallace

Idaho Heating, Ventilation and Air Conditioning Board Meeting

Thursday – August 7, 2003
Division of Building Safety – Meridian, Idaho

CALL TO ORDER Chairman Minegar called the meeting to order at 9:05 am on Thursday, August 7, 2003 at the Division of Building Safety, Meridian, Idaho.

PRESENT Board members present included Pat Minegar, Russ Firkins, Jim Bledsoe, Steve Brown, Steve Keys, and Mike Wisdom. Present from the Division of Building Safety were Dave Munroe, Administrator; Marsi Woody, Financial Officer; Kay Manweiler, Deputy Attorney General; Shauna Wallace, Administrative Assistant and recording secretary; Jack Rayne, Building Bureau Chief; Gary Malmen, Electrical Bureau Chief; and Ted Hogander, Plumbing Bureau Chief. Also present were Maria Barrett, Division of Financial Management; Mike Kelly, Local #296; Jerry Peterson, Idaho Building Trades; Floyd Reichert, SMWIA #213; Brent Moore, SMW #60; Bob Campbell, Idaho State School and Hospital; Roane Maurice, Idaho State School and Hospital; Dennis Davis, City of Nampa; George Gibson, Ada County; Collin Smith, Sheet Metal 66; Phil Petersen, SMACNA; Tena Risley, Northwest HVAC; and Cynthia Bennett.

BOARD MEMBER BUSINESS Chairman Minegar asked everyone in the room to introduce themselves. Guests were reminded they are welcome to speak or ask questions as they need and to say their names and who they represent each time for the record.

Chairman Minegar informed the group Kay Manweiler would join the meeting at 9:30 am and asked Jack Rayne if he was prepared to present the *2003 Survey of Building Code Programs in Idaho* (Survey), to which Mr. Rayne responded he was prepared.

MINUTES OF 7/21/03 Mike Wisdom moved to approve the minutes of the Idaho Heating, Ventilation and Air Conditioning Board meeting of July 21, 2003. Seconded. Passed.

UPDATE ON 2003 SURVEY OF BUILDING CODE PROGRAMS IN IDAHO Mr. Rayne gave the Board an updated summary of the Survey information. He also pointed out there was a list of contact names and numbers in the back of the survey if anyone wished to contact the cities or counties that responded for additional information. Mr. Rayne assured the Board that every effort had been made to gather information from those cities and counties listed with either a “no response” or a “no code” indicator on the Survey. Mr. Rayne distributed copies of the Survey to meeting attendees.

FUEL GAS CODE AND MECHANICAL CODE Mr. Rayne gave a brief overview of the comparison handouts he provided to the Board. *COMPARISON: 2000 International Fuel Gas Code and the 1999 National Fuel Gas Code*, American Gas Association, 2000. And, *A Comparison Between the 2000 Uniform Mechanical Code™ and the 2000 International Mechanical Code™*, International Association of Plumbing and Mechanical Officials, 2000.

After reviewing both documents prior to the meeting, both Mr. Rayne and Arlan Smith determined there were only small technical differences between the codes and that the most significant difference is the administrative provisions, i.e., cross references.

IDAHO CODE
INTERPRETATION

Russ Firkins asked the Board to review Idaho Code Sections 54-5003(3) and 54-5009. His question to the Board was whether or not a contractor would need a journeyman certificate of competency to install HVAC systems.

Kay Manweiler joined the meeting at 9:25 am.

Jim Bledsoe moved for a certificate of competency for the contractor and a certificate of competency for the journeyman. And, the certificate of competency for the journeyman, if a contractor wants to do work he would have to have a journeyman's certificate of competency. No second.

Ms. Manweiler clarified that the Board has statutory authority to issue four (4) classifications of certificates of competency and they are for individuals. The certificates state that the holder is qualified to do the work.

The consensus of the Board was if a contractor actually installs a HVAC system, the contractor would need both a contractor certificate of competency and a journeyman certificate of competency.

ADMINISTRATIVE
RULES RE-DRAFT
DATED JULY 30, 2003

Ms. Manweiler reviewed with the Board the changes she made to the draft administrative rules at the Board's request. The changes were made to the draft rules distributed at the July 21, 2003. (July 30, 2003 draft attached) Also reviewed at this time was the discussion draft by Mr. Firkins dated for review August 7, 2003. (attached)

Section 021.01.b. Mr. Wisdom moved that the Board accept Mr. Firkins additional proposed language regarding the post-grandfathering qualifications required for certification of HVAC contractors. No Second.

Steve Keys suggested to the Board that the wording requiring the holding of a certificate for two years be changed due to the issue that certificates may not have been available for two years at the time of application. Mr. Keys suggests changing the wording to "legally acted as an HVAC journeyman for a period of not less than 24 months." Ms. Manweiler suggests an either/or situation for the time being, i.e., having held a certificate of competency as a journeyman for at least a two year period or prove to the Board's satisfaction that the applicant has done the work.

Mr. Firkins suggests any changes to Section 021.01.b. be considered for Section 022.01.b.

Ms. Manweiler will distribute to the Board copies of the Alaska and New Mexico rules and forms for their review.

Section 021.01.d. After much discussion Ms. Manweiler suggested developing a separate section to address previous discipline as a condition of certificate of competency. There was consensus by the Board for Ms. Manweiler to proceed with that change.

Chairman Minegar ordered a fifteen-minute break.

Mr. Firkins moved that the word "only" be added to Sections 021.02, 022.02, and 023.02. to read, "applies only until April 1" for clarity purposes. Seconded. After a call for discussion, Mr. Wisdom asked why this change was necessary and it was Mr. Firkins' opinion that the change would add clarity and strength to the deadline. One (1) against. Passed.

Section 022.02. Change to parallel the language in the HVAC contractor section of the rule. The Board reached consensus for Ms. Manweiler to make the necessary changes.

Section 022.02.b. The Board consensus was to change the date back to July 1, 2004.

Section 023.01.a. The Board consensus was to leave the wording as “at least four (4) years.”

Section 023.02.a. The Board consensus was to use the language from Mr. Firkins’ discussion draft, and add “certificate of completion.”

Section 025. Ms. Manweiler reminded the Board that they have no disciplinary authority at this time so an apprentice to journeyman ratio in rule is unnecessary. At this point this is just the registration of apprentices. A better place to address ratios may be under the experience requirements for journeyman certificates of competency.

Section 050.03. Board consensus was to strike text left over from splitting Homeowner from Commercial and Industrial and Other permits; and to change Commercial and Industrial and Other to Contractor and Specialty Contractor. Ms. Manweiler will work on introduction language to add more definition into the rule (primary residence vs. single or duplex family dwellings).

In response to a question from George Gibson, homeowners who pull their own permits and perform work on their residences may find some work will have to be completed by a licensed professional at which time that professional will also have to take out a permit.

Section 050.04. Change the caption to read Contractor and Specialty Contractor. Steve Brown thought it might be helpful to replace the reference to Idaho Code Section 54-5016 with a direct reference to local jurisdictions.

Mr. Firkins explains the exception listed in this section of his discussion draft. Rather than having a selling price submitted for residential single and duplex family dwellings to determine the fee, the fee could be based on number of fixtures.

Ms. Manweiler clarified that the Board wanted to let the application for permit dictate the information that is required to be provided regarding selling price, etc.

Section 060. Mr. Firkins’ discussion draft requests review of actions to be taken if no permit is taken out before work begins. Ms. Manweiler explained that while this would be a misdemeanor according to statute, the Board has no authority at this time to do anything more than refer the party to prosecution.

Section 061. After discussion with Ms. Manweiler, the Board asked her to add a subsection 03 and add a double fee for parties who do not take out a permit before the work starts as the Board does have authority to assess fees.

Section 060.01. Per Mr. Firkins’ discussion draft, and with the Board’s approval, Ms. Manweiler will add a subsection c. to add a work in progress tag and the corresponding language.

Section 060.02. In keeping with the changes to be made to subsection 060.01. the word “final” will be struck from this section.

Chairman Minegar ordered a lunch break. Mr. Keys and Ms. Manweiler left the meeting for the day.

Section 062.02.a. and b. The Board agreed to ask Ms. Manweiler to delete #1. of both subsections a. and b. And the words, “Within eighteen months after being employed as” will be deleted from both subsections a. and b.

Section 062.02.a. The Board determined subsection 062.02.a.2. will be renumbered to #1. and read, “A residential mechanical inspector must be certified as a residential mechanical inspector or a mechanical inspector. Certification from ICBO, ICC, or IAPMO is acceptable.” Subsection 062.02.a.3. is to be omitted.

Section 062.02.b. The Board determined subsection 062.02.b.2. will be renumbered to #1. and read, “A commercial mechanical inspector must be certified as a commercial mechanical inspector or a mechanical inspector. Certification from ICBO, ICC, or IAPMO is acceptable.” Subsection 062.02.b.3. is to be omitted.

REPORT ON IDAHO
BUILDING CODE
ADVISORY BOARD
MEETING

Mr. Rayne reported on code decisions made by the Idaho Building Code Advisory Board (Advisory Board) at their August 6, 2003 meeting. The Advisory Board approved adopting the 2003 International Mechanical Code and the 2003 International Fuel Gas Piping Code for state owned buildings. There was consensus among the Advisory Board that if they were given the continued authority to choose the mechanical gas codes it should be left to the HVAC Board to specialize in determining which amendments to the code are important in Idaho and should be made. The Advisory Board also adopted the 2003 International Energy Code statewide.

BOARD MEETING
CALENDAR

Chairman Minegar finalized the next Board meeting to be held Thursday, August 14, 2003 from 9:00 am to 4:00 pm at the Division of Building Safety in Meridian, Idaho. Additional meetings were set for Thursday, September 11, 2003, 9:30 am to 2:00 pm at Templin’s in Post Falls, Idaho; Thursday, October 16, 2003 at the Division of Building Safety in Meridian, Idaho; Thursday, November 13, 2003 at the Holiday Inn in Pocatello, Idaho; and Thursday, December 4, 2003 at the Division of Building Safety in Meridian, Idaho.

DISCUSSION FOR
AUGUST 14, 2003
MEETING

The Board will review the revised administrative rules. Mr. Munroe will provide the Board with travel information for the September 11, 2003 meeting. The Board will discuss qualifications required for HVAC Bureau Chief.

NEW BUSINESS

Chairman Minegar asked if anyone had any new business. Mr. Firkins wanted to add to the September, October, and November agendas discussion with the public regarding code to be adopted by the Board.

ADJOURNMENT

The meeting was adjourned at 2:00 pm.

Respectfully submitted,

Shauna Wallace

KCM DRAFT: August 11, 2003

**IDAPA 07
TITLE 07
CHAPTER 01**

**07.07. - RULES GOVERNING INSTALLATION OF HEATING, VENTILATION,
AND AIR CONDITIONING SYSTEMS**

DIVISION OF BUILDING SAFETY

000. LEGAL AUTHORITY.

This chapter is adopted in accordance with Section 54-5005(2), Idaho Code.

001. TITLE AND SCOPE.

01. Title. These rules shall be cited in full as IDAPA 07.07.01, "Rules Governing Installation of Heating, Ventillation, and Air Conditioning Systems, Division of Building Safety."

02. Scope. These rules establish the minimum standards for heating, ventilation, and air conditioning (HVAC) installation practice, certification, registration, and educational programs.

002. WRITTEN INTERPRETATIONS.

This agency has no written interpretations of this chapter.

003. ADMINISTRATIVE APPEALS.

The Idaho Rules of Administrative Procedure of the Attorney General on contested cases, IDAPA 04.11.01, "Idaho Rules of Administrative Procedure," Section 100, et seq., shall apply in addition to HVAC rules, IDAPA 07.07.01, "Rules Governing Installation of Heating, Ventillation, and Air Conditioning Systems, Division of Building Safety" Sections _____. The HVAC appeal board shall consist of the full HVAC board.

004. INCORPORATION BY REFERENCE.

There are no documents that have been incorporated by reference into this rule.

005. OFFICE -- OFFICE HOURS -- MAILING ADDRESS AND STREET ADDRESS.

The principal place of business of the Division of Building Safety, HVAC Bureau is located at 1090 E. Watertower Street, Meridian, Idaho. The office is open from 8 a.m. to 5 p.m., except Saturday, Sunday, and legal holidays. The mailing address is: Division of Building Safety, HVAC Bureau, 1090 E. Watertower Street, Meridian, Idaho 83642. The office telephone number is (208) 332-7102 and the facsimile number is (208) 855-2164.

006. FILING OF DOCUMENTS. All written communications and documents that

are intended to be part of an official record for decision in a rulemaking or contested case, must be filed with the administrator of the Division. One (1) original is sufficient for submission to Division, and one (1) copy submitted to the opposing party. Whenever documents are filed by facsimile transmission, originals shall be deposited in the mail the same day or hand-delivered the following business day to the Division, and opposing parties. No record intended to be part of an official record for decision in a rulemaking or a contested case may be filed in a manner not set forth in this rule.

007. PUBLIC RECORDS ACT COMPLIANCE. HVAC board records are subject to the provisions of the Idaho Public Records Act, Title 9, Chapter 3, Idaho Code.

008. CHANGES IN NAME AND ADDRESS – ADDRESS FOR NOTIFICATION PURPOSES.

01. Change Of Name. Whenever a change of name occurs for a certificated contractor, journeyman, specialty contractor or registered apprentice, the HVAC board must be notified immediately, in writing, of the change. Documentation confirming the change of name must be provided to the board on request.

02. Change Of Address. Whenever a change of mailing address occurs for a certificated contractor, journeyman, specialty contractor or registered apprentice, the HVAC board must be notified immediately, in writing, of the change.

03. Address For Notification Purposes. The most recent mailing address on record with the HVAC board will be utilized for purposes of all written communication with certified contractors, journeymen, specialty contractors and registered apprentices, including, but not limited to, notification of renewal and notices related to inspections.

009. Meetings. HVAC Board meetings are subject to the provisions of the Idaho Open Meeting Law, Title 67, Chapter 23, Idaho Code.

010. DEFINITIONS.

01. Administrator. The administrator of the Idaho Division of Building Safety.

02. Board. The Idaho Heating, Ventillation, and Air Conditioning (HVAC) Board.

03. Bureau. The Idaho Division of Building Safety, Heating, Ventillation, and Air Conditioning Bureau.

04. Division. The Idaho Division of Building Safety.

05. Additional Definitions. Terms defined in Section 54-5003, Idaho Code, will have the same meaning when utilized in these Rules.

06. Rules. IDAPA 07.07.01, “Rules Governing Installation of Heating, Ventilation, and Air Conditioning Systems, Division of Building Safety.”

011. -- 019. (RESERVED).

020. HVAC CONTRACTOR AND HVAC JOURNEYMAN APPLICATIONS FOR EXAMINATION AND CERTIFICATES OF COMPETENCY, AND REGISTRATION OF APPRENTICES. Application forms for HVAC contractor, HVAC specialty contractor, and HVAC journeyman examinations or certificates of competency and for HVAC apprentice registrations, shall be printed and made available by the HVAC Bureau.

01. Application Forms. All applications for certificates and all applications for registration shall be submitted on forms provided by the HVAC Bureau and shall be properly completed, giving all pertinent information, and all signatures shall be notarized.

02. Application, Renewal and Registration Fees. Fees for applications for Examination, Certificates of Competency, Renewal of Certificates, and fees for Apprentice Registration shall be as set forth in Idaho Code Section 54-5012.

03. Application Submission. All applications shall be submitted to the HVAC Bureau and shall be approved by an authorized representative of the HVAC Bureau before any examination may be taken and before any certificate of competency is issued.

04. Expiration of Application. As set forth in Idaho Code Section 54-5010 (3), applications shall expire and be cancelled after a period of one (1) year from the date the applicant is first approved for examination whether or not the applicant appears for examination.

021. HVAC CONTRACTOR CERTIFICATE OF COMPETENCY.

01. Requirements For HVAC Contractor.

a. Bond. Applicants shall provide a performance bond in the amount of two thousand dollars (\$2,000).

b. Qualification: Applicants shall provide proof, satisfactory to the board, of having legally acted as an HVAC journeyman for a period of not less than twenty four months.

c. Examination: Applicants for certification as HVAC contractors must successfully complete the examination designated by the board

02. Alternate Requirements for HVAC Contractor (applies until April 1, 2005).

a. Bond. Applicants shall provide a performance bond in the amount of two thousand dollars (\$2,000).

b. Qualification: Proof, satisfactory to the board, of having engaged in the business of HVAC contracting prior to July 1, 2004. Forms of proof include, but are not limited to: copies of business licenses or registrations, tax returns, business advertisements, client affidavits, descriptions of work done to date.

c. Examination: Copies of the HVAC statute and rules, along with an examination regarding the statute and rules will be included in each application package. The examination must be completed using the statute and rules and a written verification of completion of the examination must be submitted at the same time as the completed application for a certificate of competency.

022. HVAC SPECIALTY CONTRACTOR CERTIFICATE OF COMPETENCY.

01. Requirements For HVAC Specialty Contractor.

a. Bond. Applicants shall provide a performance bond in the amount of two thousand dollars (\$2,000).

b. Qualification: Applicants shall provide proof, satisfactory to the board, of having legally acted as an HVAC specialty journeyman for a period of not less than twenty four months.

c. Examination: Applicants for certification as HVAC specialty contractors must successfully complete the examination designated by the board.

02. Alternative Requirements for HVAC Specialty Contractor (applies until April 1, 2005).

a. Bond. Applicants shall provide a performance bond in the amount of two thousand dollars (\$2,000).

b. Qualification: Proof of having engaged in the business of HVAC specialty contracting prior to July 1, 2004. Forms of proof include, but are not limited to: copies of business licenses or registrations, tax returns, business advertisements, client affidavits, descriptions of work done to date.

c. Examination: Copies of the HVAC statute and rules, along with an examination regarding the statute and rules, will be included with each application package. The examination must be completed using the statute and rules and a written verification of completion must be submitted at the same time as the completed

application for a certificate of competency.

023. HVAC JOURNEYMAN CERTIFICATES OF COMPETENCY.

01. Requirements For HVAC Journeyman.

a. Experience: Demonstrate, to the satisfaction of the board, a minimum of four (4) years experience working in the trade, in compliance with the requirements of the state in which the applicant received his supervision, or as a registered HVAC apprentice making HVAC installations on the job under the constant supervision of a qualified HVAC journeyman.

b. Education: Successfully complete any required apprenticeship training courses.

c. Examination: Applicants for certification as HVAC Journeymen must successfully complete the examination designated by the board.

02. Alternate Requirements for HVAC Journeyman (applies until April 1, 2005).

a. Qualification: Proof, satisfactory to the Board, of having been engaged or being qualified to be engaged in the installation, improvement, extension, alteration or repair of HVAC systems as a journeyman prior to July 1, 2004. Forms of proof include, but are not limited to: copies of journeyman certification, licensure or registration, signed notarized affidavits from employers or labor organizations, or certificates of completion from journeyman educational or training programs.

b. Examination: Copies of the HVAC statute and rules, along with an examination regarding the statute and rules will be included in each application package.. The examination is to be completed using the statute and rules and a written verification of completion of the examination must be submitted at the same time as the completed application for a certificate of competency

024. HVAC APPRENTICE REQUIREMENTS FOR REGISTRATION.

01. Requirements For HVAC Apprentice

a. Minimum of sixteen (16) years of age.

b. Maintain enrollment in a training program approved by the Board.

c. Work only under the constant on the job supervision by a certificated

HVAC journeyman.

025. -- 049. (RESERVED).

050. HVAC PERMITS.

01. Serial Number. Each permit shall bear a serial number.

02. HVAC Contractors and HVAC Specialty Contractors. Permits shall be furnished by the Division to certified HVAC contractors and HVAC Specialty Contractors upon request. The serial numbers of such permits shall be registered in the name of the HVAC contractor or HVAC specialty contractor to whom they are issued and they shall not be transferable.

03. Home Owners. Home owners or a contract purchaser of residential property, making HVAC installations on their own residences, coming under the provisions of Section 54-5002, Idaho Code, shall secure an HVAC permit by making application to the Division as provided in Section 54-5016, Idaho Code.

04. HVAC Contractors and HVAC Specialty Contractors. HVAC Contractors and HVAC Specialty Contractors shall secure an HVAC permit by making application to the Division as provided in Section 54-5016, Idaho Code.

05. Expiration Of Permit. Every permit issued by the Division under the provisions of Section 54-5017, Idaho Code, shall expire by limitation and become null and void if the work authorized by such permit is not commenced within one hundred and twenty (120) days from the date of issuance of such permit, or if work authorized by such permit is suspended or abandoned at any time after work is commenced for a period of one hundred and twenty (120) days. Before such work can be recommenced, a new permit must first be obtained, and the fee shall be one-half (1/2) the amount required for a new permit for such work; provided, no changes have been made, or will be made in the original plans and specifications for such work; and provided further, that such suspension or abandonment has not exceeded one (1) year. All HVAC fixtures shall be listed on the application for permit.

051. -- 059. (RESERVED).

060. REQUIRED INSPECTIONS. All work performed under a HVAC permit shall be inspected by a designated, qualified, properly identified agent of the authority having jurisdiction to ensure compliance with Title 54, Chapter 50, Idaho Code, and IDAPA 07.07.01.

01. Request For Division of Building Safety Inspection.

a. Inspection. Each permit holder shall notify the Division at least one (1) day prior to the desired inspection, Sundays and holidays excluded, that the project is ready for inspection.

b. Reinspection. If a reinspection is required after the final inspection, due to a failure to meet requirements of Title 54, Chapter 50, Idaho Code, and/or IDAPA 07.07.01, the permit holder will be charged a fee not to exceed the actual cost of each reinspection.

02. Inspection Tags. When a final inspection is made and the work performed approved, the inspector will certify to the permit holder by securely attaching an inspection tag to the equipment stating completion of the final inspection.

a. Final Inspection Tags. Blue: For final, attached when the HVAC installation as specified on the permit is complete and conforms to the requirements of the code and rules.

b. Inspection Tags For Unacceptable HVAC Installations. Red: Not acceptable, and when attached to the HVAC installation means that the installation is not acceptable and that corrections will be required.

c. Work in Progress Tag. Green: For ground work, rough-in work, or any portion of the installation that is to be covered or otherwise concealed before completion of the entire HVAC installation as specified on the permit.

061. HVAC PERMIT AND INSPECTION FEES.

01. Residential Single And Duplex Family Dwelling Fees. Fifty dollars (\$50) base permit fee plus an inspection fee of:

a. Fifty dollars (\$50) for each furnace, furnace-air conditioner combination, heat pump, air conditioner, evaporative cooler, unit heater, space heater, decorative gas-fired appliance, incinerator, boiler, pool heater, and similar fixtures or appliances. Fee includes ducts, vents, and flues attached thereto.

b. Fifteen dollars (\$15) for each exhaust or ventillation duct such as dryer vents, range hood vents, cook stove vents, bath fan vents, and similar exhaust and ventillation ducts.

- c. Fifty dollars (\$50) for the fuel gas piping system.

02. Multifamily, Commercial, Institutional, Industrial, And All Other HVAC Installation Fees. Fifty dollar (\$50) base permit fee for each building plus an inspection fee based on the selling price of the completed HVAC installation including equipment, appliances, piping systems, materials, and labor of:

- a. Three percent (3%) of the value of the HVAC installation up to twenty thousand dollars (\$20,000);

- b. Plus two percent (2%) of the value of the HVAC installation in excess of twenty thousand dollars (\$20,000) up to one hundred thousand dollars (\$100,000);

- c. Plus one percent (1%) of the value of the HVAC installation in excess of one hundred thousand dollars (\$100,000) up to two hundred thousand dollars (\$200,000);

- d. Plus one-half of one percent (1/2%) of the value of the HVAC installation in excess of two hundred thousand dollars (\$200,000).

03. Double Fees. An amount equal to two times the initial fee will be assessed in the event that: _____.

062. – 069. (RESERVED)

HVAC LEGISLATIVE TOPICS

REVISED LIST

The items on this list appear in order of priority. Items 1 through 4 are priorities in terms of initial implementation of the Act. As I understand the discussion, they are also “big ticket” items in terms of legislative controversy. The others could potentially be described as akin to “housekeeping” although some, have pretty broad reaching implications.

1. Extend date for implementation of permit/inspection program.
Address state inspection authority within city boundaries (recent building code legislation).
2. Discipline (establish grounds for discipline, types of action to be taken, clarify industry “standards of practice”, etc).
3. Enable Board to adopt safety codes.
4. Enforcement: Civil penalties and authority to file for injunctions or record “liens.”
5. Clarify dates for issuance of certificates of competency (grandfathering/other).
6. Certification of inspectors/prohibitions on maintaining separate business interests and etc. (54-5021).
7. Reinstatement process: procedure, “revival”, fees (54-5013(2)).
8. Bond requirements: establish framework.
9. Plan checking (requirements/fees).
10. Limit on number of times applicant may fail examination without further qualification (54-5010(3)).
11. Renewal process (stagger or every three years).
12. Additional definitions (homeowner, registration, certificate vs. license).
13. Additional fees (reinstatement application, reinstatement, plan checking).
14. Certification by reciprocity/endorsement.
15. Inactive status.
16. Clarify whether there will be individual specialties or just one “specialty” certification.
17. HVAC journeymen/specialty journeymen: are there limits? Hearthwork/gas appliances...
18. 54-5009(4) “certificate for hearth and barbeque” and low voltage exception from electrical statute. ARE HVAC folks ALSO required to hold plumbing/electrical licenses or not?
19. Remove reference to “certificate of competency” in 54-5006(2)...inspectors do not inspect certificates, they inspect installations. Currently there is no enforcement authority so why bother looking for certificates?
20. Business licensing requirements: “business” must employ contractor who can be j-man? What happens if contractor dies/quits?
21. Other...